

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)	
)	No. CR 99-322-JO
)	(Civil No. 04-1073-JO)
)	
v.)	<u>ORDER</u>
)	
WARNER YUNG KNICKREHM,)	
)	
Defendant.)	

JONES, Judge:

Defendant-Petitioner Knickrehm alleges that the court was without jurisdiction to impose his sentence and moves (#) to vacate or set aside his sentence under 28 U.S.C. § 2255.

Petitioner previously filed a Section 2255 motion that was denied on the merits on August 30, 2004. See Order, 8/30/04 (CR 99-322-JO, Docket # 40; CV 04-1073, Docket # 2).

"A second or successive motion must be certified as provided in section 2244 [28 U.S.C. § 2244] by a panel of the appropriate court of appeals." 22 U.S.C. § 2255. Petitioner has not received the required certification for his second Section 2255 motion.

Accordingly, I DENY petitioner's motion (#) for a lack of jurisdiction.

DATED this 10th day of June, 2005.

/s/ Robert E. Jones
ROBERT E. JONES
U.S. District Judge